

Message

From: Lippert, Allison [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6255CC36A54F4FFDBF0D8EBC24BF5F45-ANOWOTAR]
Sent: 10/24/2018 6:35:31 PM
To: Marcotty, Josephine [Josephine.Marcotty@startribune.com]
Subject: RE: [EXTERNAL] RE: questions on Central Sands Dairy in Wis.

Hi Josephine – EPA's responses are in red. Please attribute to an agency spokesperson.

I'm doing a story on water issues in Wisconsin, and it will include a description of the controversy around the Central Sands Dairy in Armenia. I understand the EPA has conducted monitoring of groundwater there, and I've seen the testing results you posted on the web site. They do show elevated levels of nitrate.

I'd like to know what the EPA's next steps are in this investigation. Some of the residents of Armenia said that they are waiting for the results of your testing that identifies whether the nitrate in groundwater is from fertilizer, manure, human waste or other sources. Are you going to release that publicly? If so, when? EPA has a policy of not discussing any potential enforcement. All of the sampling results from the May 2017 sampling event are posted on the website as promised. The site was updated last week: <https://www.epa.gov/wi/juneau-county-groundwater-screening-investigation>

They also say that the EPA will not release that identifying (isotope testing?) information to the public if it decides to take enforcement action against the Central Sands Dairy or other responsible party. Is that correct? If so, can you explain why would it not be made public even with an enforcement action? Isotope test results and analysis are available on the website: https://www.epa.gov/sites/production/files/2018-10/documents/isotope_study_report_erg_csd-may_june2018.pdf

And what will determine whether or not you take an enforcement action, and how long would it take if you do take such a step? EPA does not comment on whether or not it will take an enforcement action.

Several residents and their attorneys say they believe it's unlikely the EPA will take action. In part, that's because the EPA chose not to step in when residents in Kewaunee County, Wis. asked for federal intervention related to drinking water contamination by CAFOs. And they also say it's unlikely because Region 5 Administrator Cathy Stepp is the person who implemented many of the policies while at the Wisconsin DNR that have resulted in lax protection of water, including drinking water. Please see response above.

Can you respond to those two assertions? I ask because that's why many local residents are considering joining a law suit against Central Sands. They are not confident that the state or the EPA will take steps to solve the problem. And is Cathy Stepp overseeing this EPA investigation into Armenia's drinking water contamination now? Cathy Stepp is one of several managers now overseeing EPA's investigation.

From: Marcotty, Josephine [mailto:Josephine.Marcotty@startribune.com]
Sent: Tuesday, October 23, 2018 4:22 PM
To: Lippert, Allison <lippert.allison@epa.gov>
Subject: RE: [EXTERNAL] RE: questions on Central Sands Dairy in Wis.

Thank you, that's great. JM

From: Lippert, Allison <lippert.allison@epa.gov>
Sent: Tuesday, October 23, 2018 4:21 PM

To: Marcotty, Josephine <Josephine.Marcotty@startribune.com>
Subject: Re: [EXTERNAL] RE: questions on Central Sands Dairy in Wis.

Yes, I'm working with staff on responses and should have something for you tomorrow.

Allison Lippert
U.S. EPA Region 5
312-353-0967

On Oct 23, 2018, at 3:45 PM, Marcotty, Josephine <Josephine.Marcotty@startribune.com> wrote:

Hello Allison, my deadline on this story is getting closer. Will you be able to respond to these questions in the next couple of days – or help me connect with one of your staff who can talk me through them?
Thanks. JM

From: Marcotty, Josephine
Sent: Thursday, October 18, 2018 3:30 PM
To: 'Lippert, Allison' <lippert.allison@epa.gov>
Subject: RE: [EXTERNAL] RE: questions on Central Sands Dairy in Wis.

Allison, thanks. My deadline is a ways out, but it I'd appreciate a response by early next week if that's okay. And I'd prefer to talk to someone on the phone about these questions, because that way I do get more complete and nuanced information.

I'm doing a story on water issues in Wisconsin, and it will include a description of the controversy around the Central Sands Dairy in Armenia. I understand the EPA has conducted monitoring of groundwater there, and I've seen the testing results you posted on the web site. They do show elevated levels of nitrate.

I'd like to know what the EPA's next steps are in this investigation. Some of the residents of Armenia said that they are waiting for the results of your testing that identifies whether the nitrate in groundwater is from fertilizer, manure, human waste or other sources. Are you going to release that publicly? If so, when?

They also say that the EPA will not release that identifying (isotope testing?) information to the public if it decides to take enforcement action against the Central Sands Dairy or other responsible party. Is that correct? If so, can you explain why would it not be made public even with an enforcement action?

And what will determine whether or not you take an enforcement action, and how long would it take if you do take such a step?

Several residents and their attorneys say they believe it's unlikely the EPA will take action. In part, that's because the EPA chose not to step in when residents in Kewaunee County, Wis. asked for federal intervention related to drinking water contamination by CAFOs. And they also say it's unlikely because Region 5 Administrator Cathy Stepp is the person who implemented many of the policies while at the Wisconsin DNR that have resulted in lax protection of water, including drinking water.

Can you respond to those two assertions? I ask because that's why many local residents are considering joining a law suit against Central Sands. They are not confident that the state or the EPA will take steps to solve the problem. And is Cathy Stepp overseeing this EPA investigation into Armenia's drinking water contamination now?

I appreciate your help with these. And let me know if you can make someone familiar with this case available for an interview. My number is 612 673 7394. JM

From: Lippert, Allison <lippert.allison@epa.gov>
Sent: Thursday, October 18, 2018 1:14 PM
To: Marcotty, Josephine <Josephine.Marcotty@startribune.com>
Subject: [EXTERNAL] RE: questions on Central Sands Dairy in Wis.

Hi Josephine,

Josh forwarded your inquiry to me -- you can send your specific questions (and deadline) to me.

Thanks,

Allison Lippert
U.S. EPA Region 5
312-353-0967

From: Marcotty, Josephine [<mailto:Josephine.Marcotty@startribune.com>]
Sent: Thursday, October 18, 2018 12:27 PM
To: Singer, Joshua <Singer.Joshua@epa.gov>
Subject: questions on Central Sands Dairy in Wis.

Hello Joshua, I'm doing a story about the high levels of nitrate in drinking water tied to Central Sands Dairy in Juneau County Wis., and the investigation by EPA, the counties and the Wis. DNR. Are you the right contact person for this at Region 5? If not, can you direct me to the right person. Thanks. JM

Josephine Marcotty
Environmental Reporter
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